

## Separation Policy

### 945.1 PURPOSE AND SCOPE

The purpose is to establish and implement written policy and procedures regarding the separation of youth from group activities for reasons that include, but are not limited to, medical and mental health conditions, assaultive behavior, disciplinary consequences, self-placed separation, and protective custody. This policy applies to all juvenile facility staff.

#### 945.1.1 DEFINITIONS

Definitions related to this policy include:

**Separation** – Limiting a youth's participation in regular programming for a specific purpose. Separation types include;

- (a) **Age of Majority Separation (AOM)** - Youth 18 years of age, who have charges filed in adult court for offenses committed while a juvenile or offenses committed as an adult, with no open juvenile cases. Sight and sound separation of a youth based upon their age (i.e. 18 years of age or older) and the court of jurisdiction.
- (b) **Disciplinary Separation (DS)** - Separating a youth for disciplinary purposes.
- (c) **Intervention Separation (IS)** - Separating a youth from the other youth to correct behavior through positive behavior interventions and trauma-informed approaches.
- (d) **Exclusionary (EXC)** - Separating a youth based on their legal status according to California Penal Code (PC) Section 4030 (e).
- (e) **Medical Separation (MS)** - Youth separated for health related issues by Correctional Healthcare Services staff for the protection of the youth, other youth, and staff.
- (f) **Protective Custody (PC)** - Separating a youth from other youth to protect him or her from a dangerous situation.
- (g) **Room Confinement** - See Policy: Room Confinement.
- (h) **Safety Room Separation (SRS)** - See Policy: Safety Room.
- (i) **Self-Placed Separation (SPS)** - Separating a youth per their request.

**Trauma-informed care** – An organizational structure and system framework that involves understanding, recognizing, and responding to traumatic stress reactions and the effects of all types of trauma. Trauma-informed care also emphasizes raising awareness and providing resources about trauma and the impact of trauma on youth, family members and staff.

### 945.2 AUTHORITY AND REFERENCES

- Board of State and Community Corrections Title 15 §§ 1328, 1352, 1354, 1354.5, and 1390;
- California Penal Code §§ 1332 and 4030(e);
- 34 U.S. Code §§ 11133(a)(11)(B);

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- Juvenile Facility Services Policies: Safety Checks, Classification, Safety Room Procedures, Searches and Room Confinement; and
- Welfare and Institutions Code §§ 208.5, 209, 210 and 885.

### **945.3 POLICY**

Separation is authorized pursuant to the guidelines set forth in this section. When requesting separation and when separation is authorized, staff should use approaches and responses that consider positive youth development and trauma informed care. Utilizing these approaches and responses reduces possible re-traumatization and increases positive rehabilitation outcomes. Individual youth needs should be considered to increase the positive development of each youth.

A separated youth shall not be denied normal privileges or participation in programs, except when necessary to accomplish the objective of separation. Deprivation of the following is not permitted: bed and bedding; daily shower, access to drinking fountain, toilet and personal hygiene items, and clean clothing; full nutrition; contact with parent or attorney; exercise; medical services and counseling; religious services; clean and sanitary living conditions; the right to send and receive mail; education; and rehabilitative programming. A review of all separated youth shall be conducted by the duty officer (DO) and unit staff on each shift to determine if separation remains necessary.

Youth shall not be separated from the general population or assigned to a single occupancy room based solely on the youth's actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, gender, sexual orientation, gender identity, gender expression, mental or physical disability or HIV status. This section does not prohibit staff from placing a youth in a single occupancy room at the youth's specific request.

Any separation that results in a youth being placed in a room requires duty officer (DO) approval and/or notification and appropriate documentation in the client management system.

### **945.4 SEPARATIONS**

Age of Majority Separation (AOM) – Youth who's case originated in juvenile court and has been transferred to a court of criminal jurisdiction are not required to be separated from the facility's general population unless a youth meets all of the following criteria:

- (a) A youth is between the ages of 18 to 25;
- (b) A youth is in custody at a juvenile facility;
- (c) The youth's case is in the court of criminal jurisdiction/adult court and;
- (d) There has been a break of continuous stay at the juvenile facility (e.g. the detainee has been transferred to adult jail regardless of custody or bail status and returns to the juvenile facility, separation is required). If a youth's status is unable to be determined, separate until the matter can be resolved.

When placing a youth on AOM separation, staff shall obtain the DO approval.

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Disciplinary Separation (DS) – DS requires the collaboration and approval of both the DO/SPO and Behavioral Health Services. After the approval for a youth to be placed on DS, the DO/SPO must notify the facility manager of the decision. When a youth is placed on DS, the following steps shall be taken:

- (a) The DO/SPO will ensure the juvenile facility staff complete their incident reports prior to the conclusion of their shift, documenting the reasons for the DS. In the interim, the DO/SPO will meet with the youth to explain why they are being placed on DS.
- (b) Due Process shall be provided to the youth.
- (c) The DO/SPO will develop a daily program for the youth considering the youth's developmental capacities and/or their behavioral health needs.
  1. Room confinement is only to be used if the youth present's a threat to safety or security. If this occurs staff shall follow steps for RC.
- (d) The DO/SPO will review the youth's daily program with them, explain the anticipated date the youth's separation will end, and expectations to be met while on separation.
- (e) At the end of each shift, juvenile facility staff will meet with the youth to review whether or not expectations have been met. After meeting with the youth, juvenile facility staff will document the youth's overall behavior and any Title 15 requirements provided to the youth, in the client management system.
- (f) All DS youth will be discussed with collaborative partner agencies during treatment team meetings/daily huddles to discuss the youth's case and to encourage the youth to meet set expectations, so that they can resume programming with the other youth in their assigned housing unit.
- (g) Prior to a youth being removed from DS, the DO/SPO will obtain the approval of the facility manager/designee.
- (h) Prior to a youth resuming programming in their assigned housing unit, juvenile facility staff will meet with the youth to review expectations and review the facility rules.

Intervention Separation (IS) – IS is a non-punitive separation of a youth who is separated from other youth to correct behavior through positive behavior interventions and trauma-informed approaches. The goal of IS is to guide the youth towards positive behavior by explaining the reasons for separation, reviewing expectations, and coaching the youth to think about the outcome before they act.

- (a) When staff observe a youth repeatedly not following rules or displaying aggressive behavior, they are to immediately address the youth, in a positive manner. If there is not a threat to safety or security risk, IS shall be used as a less restrictive immediate intervention to correct the repetitious acts of non-compliance or the de-escalation of aggressive behavior. When IS is needed, separate the youth in a secondary location other than the living unit, away from the group while providing trauma informed counseling until the behavior is corrected. If available, staff with good rapport can be utilized to counsel the youth to regain focus. IS is designed for short durations during a shift and not meant to be used long term. Prior to the youth reintegrating with to

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the group, staff should provide the youth with an expectation and a goal. All title 15 regulations still apply. The documentation of IS shall be made in detention contacts.

**Medical Separation (MS)** – Youth may be placed on MS for health-related issues per Correctional Healthcare Services (CHS) staff only. Per CHS staff, for the protection of the youth, other youth and staff, youth on MS shall be separated from the group. Onsite health care staff shall specify the health care needs and requirements for each youth on MS. Staff shall employ universal precautions and comply with the medical treatment plan while dealing with youth on medical separation status. A youth shall remain on MS until cleared by on-site health care staff. When placing a youth on MS status, staff shall notify the DO.

**Protective Custody (PC)** – Separating a youth from other youth to protect him or her from a dangerous situation. When placing a youth on PC status, staff shall obtain DO approval.

**Exclusionary(EXC)** – EXC status is based on the legal status of the youth. Misdemeanor warrants alleging offenses involving weapons, violence, or controlled substances do not require EXC status. Youth on formal probation with search terms do not require EXC status when booked on misdemeanor warrants. Refer to California Penal Code (PC) Section 4030(e).

- (a) A youth is placed on EXC status if the booking offense is a misdemeanor and no weapons, violence or controlled substances were involved in the alleged offense.
- (b) Out-of-state runaways shall be placed on EXC status.
- (c) Material witnesses pursuant to 1332 PC shall be placed on EXC status.
- (d) Youth detained on EXC status shall not be strip or visual body cavity searched or housed with the facility's general population until they have appeared for a detention hearing.

Staff supervising youth on EXC status shall:

- (a) Conduct pat-down searches on youth;
- (b) Conduct searches by use of non-invasive electronic scanning devices. (I.e. metal detector);
- (c) Search youth's personal clothing after removal;
- (d) Ensure youth undress and shower out of staff's and other youth's view;
- (e) Ensure youth dress in juvenile facility clothing out of staff's and other youth's view; and,
- (f) Ensure youth are housed separately from the facility's general population until the detention hearing.

**Self-Placed Separation (SPS)** - Separating a youth per their request. Youth on SPS may be temporarily placed in a room. Youth may be removed from SPS, upon their request, at any time and rejoin the group. When placing a youth on SPS status, staff shall notify the DO. For process steps, refer to Standard Work.

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Safety Room Separation (SRS) - Youth who present an immediate danger to themselves or others, or who exhibit behavior which results in the destruction of property may be placed in a safety room. Staff shall follow all guidelines set forth in Policy: Safety Room Procedures.

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### Attachments:

1. [Self-Placed Separation \(SPS\) Request form](#)
2. [Separation Report](#)
3. [SW Self-Placed Line Staff](#)
4. [SW Self-Placed Duty Officer](#)
5. [SW Self-Placed Clerical Staff](#)
6. [SW Exc, PC, AOM Line Staff](#)
7. [SW Exc, PC, AOM Duty Officer](#)
8. [SW Exc, PC, AOM Clerical Staff](#)